

1895-053 Chancery Causes: Margaret Bailey vs. Elizabeth Bailey &c
Lee Co

1 Plat

CA. Estate Dispute
T. Property

Virginia:

To The Honorable W. L. Miller Judge of the circuit
court of Lee County.

Humbly complaining, sheweth unto your
honor your oratrix, Morgant Bailey, That James
M. Bailey, the late Husband of your oratrix, was
in his lifetime, and during the time he was
married to your oratrix, seized in fee simple, of
divers freehold estates, situated lying and being in
Lee County, about 8 miles west of Jonesville containing
48 acres more or less and bounded by the lands of A. C.
Ely, John Green, Andy Johnson and John Smith
and being so seized, the said James M. Bailey
departed this life on or about the day of
18- leaving your oratrix his widow, and
Elizabeth, Corna, and Eliza, his children and heirs
at law (defendants herein after named) all infants aged
respectively, 12, 10, & 8, him surviving, whereby
your oratrix became by law entitled to her dower
in said freehold estate, and your oratrix further
states that the said tract of land is subject to division
among the heirs at law of the intestate, subject to
the dower of your oratrix, In tender consideration
whereof, your oratrix being without remedy
save in a court of equity, she prays That Elizabeth
Bailey, Corna Bailey Ed Eliza Bailey ^{infants} be made parties
defendant to this bill, and answer by a guardian
ad Litem to be appointed for them, that the dower
of your oratrix in the said tract of land be assigned
to her, and the residue thereof divided among the heirs
at law of the intestate, of and said, according to their
respective rights, And may it please your honor
to grant unto your oratrix all other further

1 and general relief And all proper process
2 And also in duty bound of our nation, with
3 ever freely & etc. M. G. Ely pg

1895

Margaret Bailey

vs Ely Bill in Chancery -

Eliza O. Bailey et als

1895-2nd Feby Rules bill filed
and ans of Guardian ad
litem filed

" 1st March rules taken in
last Monday in Feby Cause
set for hearing by compelt

" March Term Decree Contd

" June Term Decree final

Plffs Costs
\$5.00 Paid to Ely
\$5.27

of Old Item \$5.00 Paid to Ely

Surveyor 5.00

Comrs 6.00

Co C 5.00 Paid to Ely

\$36.77
1.50 Paid to Ely

June Term 1895 Decree
final See Chy order
Book Page 176

Virginia:

To the Circuit Court of Lee County,
To the Hon. W. J. Miller, Judge of said Court.
The answer of Wm A. Orr, Guardian ad
litem for Elizabeth Bailey, Leora Bailey and
Eliza Bailey, infants, to a bill in Chancery
filed in this Honorable Court by Margaret
Bailey against his said wards.

Respondent answers all proper exceptions
to complainant's bill of Complaint, and,
answering says, that he knows of
no defence that he should now
make to said Complaint, but he
asks that this Court require the
complainant to make out her case
according to the rules of law and
equity in such cases. Having
answered your respondent prays
to be hence dismissed with his
costs.

Wm A. Orr

Guardian ad litem.

Sworn to before me in my Office,
this the 18th day of Feby 1895.

A. B. Munnery Clerk

Margaret Bailey

vs J. A. L.

Elizabeth Bailey et al
Filed February the
18th 1895

A. B. Munsey
Clerk

Jan 15 - 1895

1 Margaret Bailey

2 vs.

Decree

3 Elizabeth Bailey et al

4 This cause came on this day to be heard upon
5 the bill of Complainant and answered ^{the infant-} by defendant
6 by W. A. Orr, their ^{assigned to defend them in this suit} Guardian ad litem, and was
7 argued by counsel. On consideration of which
8 the Court doth order that L. C. Elliot, James Smith
9 and John Green who are hereby appointed Commissioners
10 for the purpose, having been first duly sworn do proceed
11 to lay off and divide the real estate of which James M. Bailey
12 did seized and possessed, consisting of one tract of land, in
13 the County of Lee, containing about 48 acres, adjoining the lands
14 of John Smith, John Green, A. C. Ely and Andy Johnson,
15 they will ^{first} lay off and assign to Margaret Bailey her dower
16 in said tract of land, that is one-third, and balance into
17 three equal parts, having regard to quality and quantity, and
18 assign one of three said parts to each of the children of the said
19 James M. Bailey deceased, namely: to Elizabeth Bailey one-third part
20 to Corna Bailey one-third part; And to Eliza Bailey one-third part.
21 said Commissioners will report their action to the next
22 term of this Court And the cause is continued,

Margaret Bailey

vs E. Deere

Elizabeth Bailey et al

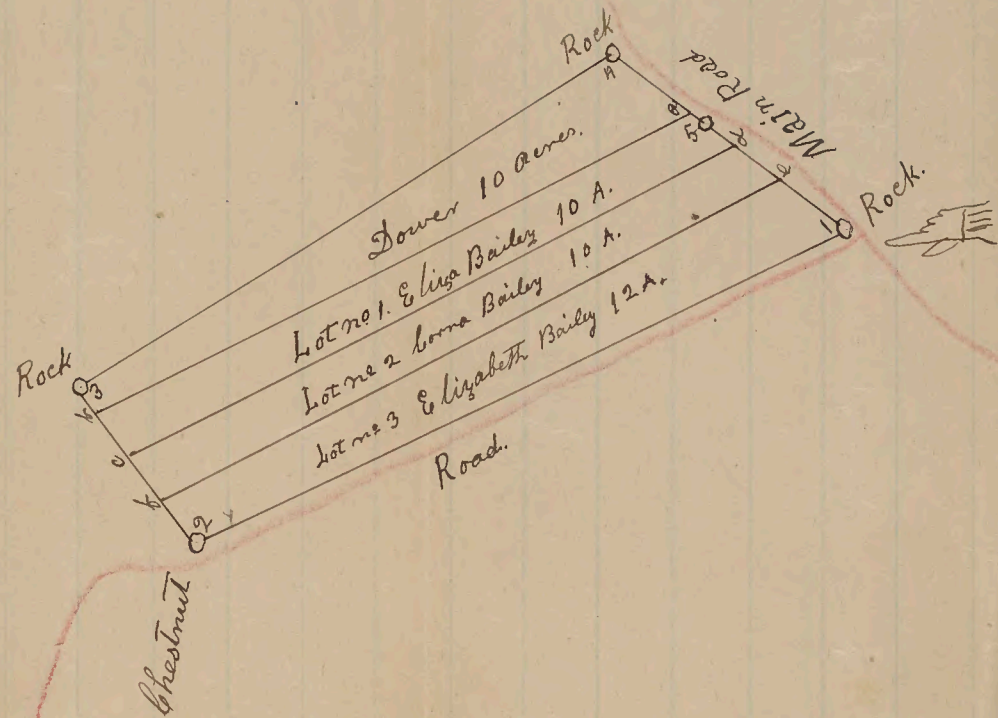
O.B.

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Enter this

W. L. M.

March 11th 1895



Margaret Bailey
V.D. { Deane
Elizabeth Bailey
Platt.

To The Honorable W. T. Miller Judge of The
Circuit Court of Lee County Va. In pursuant
of an order, emanating from your Honors Court, dated
March 1895. directing us The undersigned Commissioners
to go upon the Land in the Bill mentioned. and partition
the land to those entitled thereto. We your commissioners
proceeded on the 21st day of May 1895. to comply with
Said Order. We first proceeded to Survey the tract
of Land Beginning at the forks of the Road and
in the Main Road on A. G. Eley's corner and with
Lehu Green's line S 65° W 150 poles to a Chestnut
(now down), thence leaving said Green's land. and with
Andy Johnson's line N 83° W 40 poles to a Rock. John
Smith's corner. and with his line N 68½° E 132 poles to a
Rock at the Main road. Thence with the main road
S 54½° E 25 poles S 53° E 36½ poles to the Beginning containing
42 Acres. We then proceeded to lay off the Dower. which
is marked on the plat. Dower. and by the figures and letters
4. a. b. 3. Beginning at the Rock. Smith's corner at the Main
Road. and at figure 4. Thence with the main road S 54½° E 20
poles at small a. Thence leaving the main road S 63½° W 138 poles
to Maple Sowerwood + Black oak. all Saplings. on Andy Johnson's
line and with it N 83° W 6 poles to a Rock at 4. N 68½° E 132
poles. to the Beginning containing 10 acres. also including
the Mansion House. We then proceeded to partition
the residue between the heirs of James M. Bailey. are layed
off and assigned to Eliza Bailey Lot No 1. and is designated
by the letters and figure a. 5. d. c. b. Beginning at a. in the
Main Road a corner to the Dower. Thence along the said
Road S 54½° E 5 poles. S 53° E 6 poles to d. Thence leaving the Road
S 64° W 141 poles to a Rock. on Andy Johnson's line and with his line
N 83° W 11½ poles to the corner of the Dower at c. Thence with the

Dower line $N 63 \frac{1}{4} E 138$ poles to the Beginning containing 10 acres
 We layed off, and assigned To Corra Bailey Lot no. 2 marked
 on Platt by the letters d. e. f. c. Beginning at the Main road
 a corner to lot no. 1. and with the road. $S 53 E 11 \frac{1}{4}$ poles to e then
 leaving the Road $S 64 W 145$ poles to a Rock on Andy Johnsons line
 and with the same $N 36 W 11 \frac{1}{4}$ poles to e a corner to lot no. 1. and
 with it $N 64 E 141$ poles to the Beginning containing 10 acres.
 We layed off and assigned lot no. 3. To Elizabeth Bailey
 and is designated on Platt by figures and letters e. 1. 2. f
 Beginning at e in Main Road a corner to Lot no. 2 and
 with Main Road. $S 53 E 18 \frac{1}{2}$ poles to a Rock at the forks of the
 Road A. G. Elys. corner. at 1. thence ^{with} Jehu Green's line $S 65$
 $W 150$ poles to a chestnut grow downy at 2. thence leaving said
 line $N 36 W 11 \frac{1}{4}$ poles to a Rock at f, a corner to lot no. 2 with
 it $N 64 E 145$ poles to the Beginning containing 12 acres.
 We file a Platt of the same with making it
 a part of our report. All of which
 is Respectfully Submitted

G. B. Elliott
 Jehu Green
 James B. Smith } Com.

Fees

G. B. Elliott Sur. Plotting &c. 5.00
 Jehu Green Com. 2.00
 J. B. Smith com. 2.00
 J. W. Green Flagman 1.00
 Total 10.00

Margaret Bailey
 } Comrs report

Elizabeth Bailey et al
 Filed May the 27th 1895
 A. B. Munsey Clk